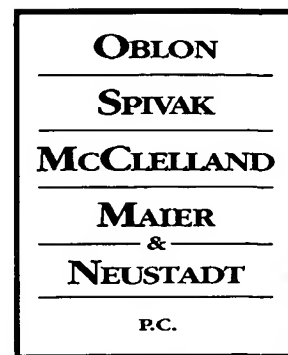




Docket No.: 246602US2

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

NORMAN F. OBLON
(703) 413-3000
NOBLON@OBLON.COM

ROBERT T. POUS
(703) 413-3000
RPOUS@OBLON.COM

RE: Application Serial No.: 10/737,121

Applicants: Hiroshi GOTOH, et al.

Filing Date: December 17, 2003

For: ELECTRONIC DEVICE, METHOD OF
MANUFACTURE OF THE SAME, AND
SPUTTERING TARGET

Group Art Unit: 2815

Examiner: NGUYEN, J.

SIR:

Attached hereto for filing are the following papers:

RESTRICTION RESPONSE

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon

Registration No. 24,618

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)
I:\cfdav\246602.cvr

Robert T. Pous

Registration No. 29,099



DOCKET NO: 246602US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
HIROSHI GOTOH, ET AL. : EXAMINER: NGUYEN, J.
SERIAL NO: 10/737,121 :
FILED: DECEMBER 17, 2003 : GROUP ART UNIT: 2815
FOR: ELECTRONIC DEVICE, METHOD :
OF MANUFACTURE OF THE SAME,
AND SPUTTERING TARGET

RESTRICTION RESPONSE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Office Action dated November 1 2004, Applicants herein elect group I corresponding to claims 1-16 and 23-25, drawn to an electronic device, classified in class 257, subclass 765, **with traverse** for prosecution in the present application.

Applicant traverses the outstanding Restriction Requirement as the outstanding Restriction Requirement has not established that an undue burden would be required if the Restriction Requirement was not issued and if all the claims were examined together. More particularly, MPEP §803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

Application No. 10/737,121
Reply to Office Action of November 1, 2004

In the present application any search of the elected device claims would also include the classes and subclasses appropriate for searching the method claims, and so then would be no undue burden if all of the claims were examined together.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Norman F. Oblon
Attorney of Record
Registration No. 24,618

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Robert T. Pous
Registration No. 29,099

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Eckhard H. Kuesters
Registration No. 28,870